

From: [Hayes, Mark](#)
To: [Quinones, Edwin](#)
Cc: [Sims, Duane](#)
Subject: Fw: Letter re Retrieval of Personal Items fr West Fertilizer Site
Date: Wednesday, June 19, 2013 2:46:28 PM
Attachments: [image002.png](#)

Fyi

From: Matt Rosek

Sent: Wednesday, June 19, 2013 1:39:27 PM

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Cc: Hayes Fuller; John McCoy

Subject: RE: Letter re Retrieval of Personal Items fr West Fertilizer Site

To all,

From Adair's personal counsel on the personal property removal.

Don't expect to find any fertilizer records or information. We will preserve info on the computers (although I believe they are not work computers and contain only personal information). The family is most interested in recovering family photos etc. Everything they hope to pick up is stuff the various agencies deemed so unimportant they never took possession of it to begin with.

Matthew R. Rosek-Partner
McCOY LEAVITT LASKEY LLC
mrosek@mlllaw.com
262-522-7022

From: Marc Young [mailto:MYoung@cbylaw.com]
Sent: Wednesday, June 19, 2013 11:28 AM

To: Matt Rosek; 'Heather Charette'; MAZIZ@ABRAHAMWATKINS.COM; SANDY@THEAMLAWYERS.COM; BENNIE.MCILVEEN@FAIRMONTSSPECIALTY.COM; TDEES1@GMAIL.COM; CMARTINAPEX@YAHOO.COM; JTATOM@APT-RESEARCH.COM; JGREEN@ASHCRAFTLAW.COM; MPARFITT@ASHCRAFTLAW.COM; DOUGLAS.KUNZE@ATF.GOV; JOHN.SCOTT@TEXASATTORNEYGENERAL.GOV; QBAKER@BAKERRISK.COM; RBENNETT@BAKERRISK.COM; GSHELTON@BAKERRISK.COM; RMCGEE@THEBASSETTFIRM.COM; SMUNCEY@BERGERKAHN.COM; SSCARBROUGH@BMH-LAW.COM; JBOTELER@BMG-LAW.COM; JGATHERTON@AOL.COM; JBARR@BBARR.COM; MKUUSELA@BUTLERPAPPAS.COM; BOB.MIKELL@CARRIER.UTC.COM; JOHN.CAYIAS@MCTX.COM; ED@MCTX.COM; DRTHOMAS@CFINDUSTRIES.COM; Roland Gonzales; EWOTRING@CONNELLYBAKER.COM; Charles Keith; Holly Taylor; Matt Wilber; BRIAN_MALARD@US.CRAWCO.COM; DADEFEN123@AOL.COM; MARK.FRAZIER@USDOJ.GOV; LE.MADELEINE@DOL.GOV; LEWIS.JEFFREY@DOL.GOV; RDESIMONE@DESIMONELAWOFFICE.COM; AHAHN@DS-LAWYERS.COM; RDUBOIS@DBCLLP.COM; EGRAY@ECKERTSEAMANS.COM; RHAFNER@ECKERTSEAMANS.COM; DAN_DELLASALA@EFIGLOBAL.COM; LRIDDLE@LSB-OKC.COM; JENGVALLE@E-H-LAW.COM; JENGVALLE@ELHOUSTON.COM; HAYES.MARK@EPA.GOV; PJDAUM@ESI-IL.COM; RGERBER@EVANS-DIXON.COM; KATHY.SANFELIPE@FAIRMONTSSPECIALTY.COM; HAL.LYSON@FCAFIRE.COM; JOECONWILL@YAHOO.COM; ROBERT.COLLINS@GEBKLAWYERS.COM; KARL.KOEN@GEBKLAWYERS.COM; SCOTT.KIDD@GEBLAWYERS.COM; ROBERT.COLLINS@GEBKLAWYERS.COM; SGDAVIS@GEXCON.COM; DEREK.ENGEL@GEXCON.COM; FGAVELLI@GEXCON.COM; PCHINZE@GEXCON.COM; RICKY@GRONESENVIRONMENTAL.COM; PGAREIS@GHLAW-LLP.COM; KMOSLEY@GHLAW-LLP.COM; WPICKETT@GHLAW-LLP.COM; ATHAKRAR@GHLAW-LLP.COM; MGROTEFELD@GHLAW-LLP.COM; JOHN@THETRIALLAWYERS.COM; STEPHEN@THETRIALLAWYERS.COM; ZOLLIE@THETRIALLAWYERS.COM; COPLEYC@HELENACHEMICAL.COM; COXD@CLASSICNET.NET; BRISTERE@HELENACHEMICAL.COM; JKCLICK@HHKLAWFIRM.COM; TWOODS@HHKLAWFIRM.COM; FHERRERA@HERRERALAW.COM; CAT@HMGLAWFIRM.COM; CPINEDO@HMGLAWFIRM.COM; DONPJONES@GMAIL.COM; JOE.SEMENS@IBSA.COM; CEFALANY@SHEPHERDENGINEERS.COM; RMEIER@KENNEDY-FIRE.COM; KSMITH@KENNEDY-FIRE.COM; LSMITH@KELLYSMITHPC.COM; PKENNEDY@KENNEDY-FIRE.COM; SCOTT@KRWLAWYERS.COM; RCOX@KODIAKCONSULTING.COM; DAVEWILLIAMS.LEE@YAHOO.COM; CURTIS@WHITNEYFANNING.COM; TJH@THOMASJHENRYLAW.COM; JBAIRD@LOKICONSLT.COM; JCARVER@LSB-OKC.COM; DRILEY@LWGCCONSULTING.COM; RTORRES@LWGCCONSULTING.COM; NRYMER@RMJELAW.COM; MMCDONALD@MSSM-LAW.COM; JSHOWERS@MSSM-LAW.COM; RSCHUSTER@MWL-LAW.COM; GWICKERT@MWL-LAW.COM; SALMETER@MCCATHERNLAW.COM; PGRINKE@MCCATHERNLAW.COM; DMAYS@MCCATHERNLAW.COM; E.BENSTOCK@MCDOWELLOWENS.COM; R.BONYATA@MCDOWELLOWENS.COM; N.CAMARA@MCDOWELLOWENS.COM; J.CUNAG@MCDOWELLOWENS.COM; M.MATHERNE@MCDOWELLOWENS.COM; J.MCDOWELL@MCDOWELLOWENS.COM; D.NOLEN@MCDOWELLOWENS.COM; E.REYES@MCDOWELLOWENS.COM; R.SIMMONS@MCDOWELLOWENS.COM; Michael D. Aiken; MMORAN@MUNCKWILSON.COM; CBM@MUSSLEWHITE-LAW.COM; CAMPBELL@NAMANHOWELL.COM; FULLER@NAMANHOWELL.COM; TJH@OTSC.TAMU.EDU; BLJ@OTSC.TAMU.EDU; JRS@OTSC.TAMU.EDU; RBS@OTSC.TAMU.EDU; RECTOR.JACK@DOL.GOV; OWENSENG@ATT.NET; DODARTM@PHELPS.COM; TALLEYP@PHELPS.COM; SFERGUSON@CHADPINKERTON.COM; BROBERTS@CHADPINKERTON.COM; JROMIG@PONDEROSA-ASSOC.COM; INFO@IDC-PBS.COM; PDAWACO@PDAORG.NET; ZJONES@PULF.COM; THOMAS.SING@QUESTFIREANALYSIS.COM; LADON@MECWB.COM; RANDY@ROBERTSLAWFIRM.COM; BBOZE@RMJELAW.COM; DONH@SAFETYENGINEERINGLABS.COM; MBERRY@SAMMONS-BERRY.COM; ABAINBRIDGE@SEALIMITED.COM; MMULCAHY@SEALIMITED.COM; JOH@WACOATTORNEYS.COM; BWB.SPCI@YAHOO.COM; KELLY.COOK@TCEQ.TEXAS.GOV; KATHLEEN.DECKER@TCEQ.TEXAS.GOV; SUSAN.JABLONSKI@TCEQ.TEXAS.GOV; TEAMKELLOGG@GMAIL.COM; DVANSOES@TCEQ.STATE.TX.US; BLJ@OTSC.TAMU.EDU; JAG@JAG-LAWFIRM.COM; CPEEL@JAG-LAWFIRM.COM; ASMITH@JAG-LAWFIRM.COM; JHERRERA@HERRERALAW.COM; JAUTY@THOMPSONCOE.COM; BMARTIN@THOMPSONCOE.COM; MPARISH@TTSSLAWFIRM.COM; KTAUNTON@TTSSLAWFIRM.COM; MARKUNDERWOOD@MARKUNDERWOOD.COM; FREDWILSON@UP.COM; FWEHMEYER@USBATTERY.COM; JOHNNIE.BANKS@CSB.GOV; DANIEL.HOROWITZ@CSB.GOV; CHRIS.LYON@CSB.GOV; RICHARD.CAREY@HQ.DHS.GOV; PAUL.GILBREATH@HQ.DHS.GOV; BRIAN.M.HOBACK@USDOJ.GOV; MICHAEL.REYES@USDOJ.GOV; SCHOEN.MICHAEL@DOL.GOV; DIAZ.ALVIN.T@DOL.GOV; QUINONES.EDWIN@EPA.GOV; SIMS.DUANE@EPA.GOV; WEBSTER.SUSAN@EPA.GOV; PCARPER@VFENGR.COM

Cc: Hayes Fuller

Subject: RE: Letter re Retrieval of Personal Items fr West Fertilizer Site

Matt,

I have no problem with the personal items being given to the employees. It is the business records I would like to protect.



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Sent: Wednesday, June 19, 2013 11:18 AM

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Cc: Hayes Fuller

Subject: RE: Letter re Retrieval of Personal Items fr West Fertilizer Site

To all,

Most of the materials that will be removed from the grain office building are personal items; pictures, CD's containing pictures, etc. I propose we allow the materials to be removed and we will have Crane box those materials up until the parties on the site have a chance to look at it and advise if they want anything copied.

The primary purpose of removing those items from the grain office building is to prevent the deterioration/destruction of those items.

Matthew R. Rosek-Partner

McCOY LEAVITT LASKEY LLC

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262-522-7022

From: Marc Young [<mailto:MYoung@cbylaw.com>]

Sent: Wednesday, June 19, 2013 10:33 AM

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Subject: RE: Letter re Retrieval of Personal Items fr West Fertilizer Site

I have called and spoken to John McCoy regarding the contents of the CD's/DVD's which he is requesting be removed from the site. I advised that I objected to the removal of anything which might identify the source of any of the fertilizer products which were on site at the time of the accident. He said he would get with his client to find out more about what is on the discs. I advised

that I thought the discs should at the very least be copied and the originals held by Crane. He said he would get back to me.



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From: Heather Charette [<mailto:heatherc@craneengineering.com>]
Sent: Wednesday, June 19, 2013 9:18 AM
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Subject: Letter re Retrieval of Personal Items fr West Fertilizer Site

Please review the attached letter to all Counsel and Interested Parties. Unless there are any objections, Crane Engineering personnel will be escorting Messrs. Roberts, Hackman and Kwast to retrieve their personal items from the West Fertilizer site.

Sincerely,

Heather C. Charette
Legal Services Project Coordinator
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This was done to limit the distribution of computer viruses introduced into the EPA network. EPA is deleting all computer program attachments sent from the Internet into the agency via Email.

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For further information, please contact the EPA Call Center at (866) 411-4EPA (4372). The TDD number is (866) 489-4900.

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